

Notice of Allowability

Application No.

09/770,108

Examiner

Alain L. Bashore

Applicant(s)

MARKS DE CHABRIS ET AL.

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1-19-06.
2. ☒ The allowed claim(s) is/are 1, 4-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


ALAIN L. BASHORE
PRIMARY EXAMINER

DETAILED ACTION

Allowable Subject Matter

1. Claims 1, 4-27 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claims 1, 10, 16, 22. Claim 1 recites a method of coordinating and timing orders using an order manger operating on a computer, the order manager capable of communicating with a transition destination over a communication network; claim 10 recites a system for coordinating and timing orders to be executed by a computer in communication with a communication network; claim 16 recites a distributed server architecture for implementing a system for coordinating and timing orders over a communication network the distributed server; claim 22 recites a computer-readable medium.

Ordish et al is considered the closest prior art. Ordish et al teaches receiving an order definition. An order message is transmitted (col 5, lines 60-63) over a communications network at the time instant associated with one of the transaction instances (col 6, lines 30-35). A completion message is received over the communications network identifying a completion status of the order at the transmitted transaction destination (col 6, lines 48-57). Incomplete order fills are notified (col 6, lines

38-45). A data storage means, schedule supervisor means and a transaction supervisor means are present (fig 8).

Ordish et al does not disclose the combination claimed including:

In claim 1:

a) receiving an order definition at the order manager. the order definition defined by an evaluation heuristic, identifying a plurality of transaction instances, each said transaction instance identifying an order, the transaction destination and a predefined time instant for execution of the order with the transaction destination;

b) at the predefined time instant associated with one of the transaction instances, transmitting over the communications network to the associated transaction destination an order message identifying the associated order; the predefined time instant, the order and the transaction destination of the order message being determined in accordance with the evaluation heuristic;

c) receiving from the associated transaction destination over the communications network a completion message identifying a completion status of the order at the transmitted transaction destination; and

d) repeating steps b) and c) in accordance with the completion status and

the evaluation heuristic for coordinating and timing the order.

In claim 10:

data storage for storing an order definition defined with an evaluation heuristic, the evaluation heuristic identifying a plurality of transaction instances, each said transaction instance identifying an order, a transaction destination and a predefined time instant for execution of the order with the transaction destination;

schedule supervisor in communication with the data storage for transmitting, at the predefined time instant associated with one of the transaction instances, an order message to the associated transaction destination over a the communications network, the order message identifying the one transaction instance; the predefined time instant, the order and the transaction destination of the order message being determined in accordance with the evaluation heuristic to coordinate and time the order; and

transaction supervisor in communication with the data storage for receiving over the communications network a completion message identifying a completion status of the order at the transmitted transaction destination, and for updating the order schedule in the data storage in accordance with the completion status.

In claim 16:

a database server for storing an order definition defined with an evaluation heuristic, the evaluation heuristic identifying a plurality of transaction instances, each said transaction instance identifying an order, a transaction destination and a predefined time instant for execution of the order with the transaction destination;

a schedule supervisor server in communication with the database server for transmitting, at the predefined time instant associated with one of the transaction instances an order message to the associated transaction destination over a the order message identifying the one transaction communications network, the instance; the predefined time instant, the order and the transaction destination of the order message being determined in accordance with the evaluation heuristic to coordinate and time the order; and

a transaction supervisor server in communication with the database server for receiving over the communications network a completion message identifying a completion status of the order at the transmitted transaction destination, and for updating the order schedule in the database server in accordance with the completion status.

In claim 22:

a) receive a transaction destination defined with an evaluation heuristic, the evaluation heuristic identifying a plurality of transaction instances, each said transaction instance identifying an order, a transaction destination and a predefined time instant for the order with the transaction destination;

b) at the predefined time instant associated with one of the transaction instances, transmit over a communications network to the associated transaction destination an order message identifying the associated order; the predefined time instant, the order and the transaction destination of the order message being determined in accordance with the evaluation heuristic;

c) receive over the communications network a completion message identifying a completion status of the order at the transmitted transaction destination; and

d) repeat steps b) and c) in accordance with the completion status and the evaluation heuristic.

For these reasons claims 1, 10, 16, 22 are deemed to be allowable over the prior art of record, and claims 4-9, 11-15, 17-21, 23-27 are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Allowable subject matter may require further review for applications in class 705 before a notice of allowance is mailed to applicant. The time period for review may vary from application to application.

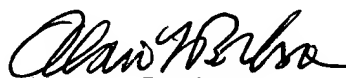
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

Regarding all Class 705 applications, the management contact regarding examination is: Vincent Millin (SPE, art unit 3624) at 571-272-6747.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alain L. Bashore
Primary Examiner
Art Unit 1762